



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Masahiro SHIOJI**

Group Art Unit: **2622**

Application Number: **09/873,413**

Examiner: **Nhan T. Tran**

Filed: **June 5, 2001**

Confirmation Number: **1839**

For: **IMAGE REPRODUCING APPARATUS**

Attorney Docket Number: **010728**

Customer Number: **38834**

LETTER TO THE EXAMINER REGARDING PATENT TERM ADJUSTMENT

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

February 28, 2007

Sir:

This paper is filed to bring to the attention of the Patent Office an apparent error in the Patent Term Adjustment calculated in connection with the above-referenced patent application. As discussed below, it is believed that the Patent Term Adjustment is longer than appropriate.

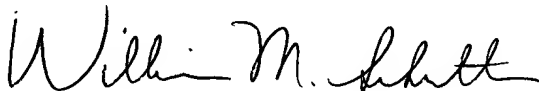
More specifically, the USPTO calculated an adjustment of 72 days for failure to issue an Office Action within four (4) months after filing of an Amendment on November 22, 2004 (PTO delay days). However, this adjustment appears to be in error. More specifically as indicated on page 2 of the attached Patent Term Adjustment History, the USPTO apparently considered the Amendment filed on November 22, 2004 as being filed on October 22, 2004. It is believed that the adjustment for the USPTO delay in responding to the Amendment filed on November 22, 2004 should be 44 days, instead of 72 days.

Further, it is noted that this paper is not a Rule 1.312 Amendment, but rather is an “other paper” **required** by the USPTO and should therefore be recognized as a paper that should be included in the USPTO “Examples of Papers that are **not** considered to be failures to reasonably conclude prosecution even when filed after a Notice of Allowance” as listed in 1247 O.G. 111-12 (June 26, 2001) – Clarification of 37 CFR §1.704(C)(10). Therefore, filing of this paper does not negatively affect the patent term adjustment.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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WMS/dlt

09/873,413 IMAGE REPRODUCING APPARATUS

02-26-
2007::15:22:25**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 09/873,413

Filing or 371(c) Date:	06-05-2001	USPTO Delay (PTO) Delay (days):	824
Issue Date of Patent:	null	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	47
Post-Issue Petitions (days):	+0	Total PTA (days):	777
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
11-28-2006	Mail Notice of Allowance		
11-28-2006	Mail Formal Drawings Required		
11-27-2006	Formal Drawings Required		
11-27-2006	Notice of Allowance Data Verification Completed		
11-27-2006	Case Docketed to Examiner in GAU		
11-17-2006	Date Forwarded to Examiner		
11-17-2006	Date Forwarded to Examiner		
11-08-2006	Request for Continued Examination (RCE)		25
11-17-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		⬆
11-08-2006	Request for Extension of Time - Granted		⬆
11-08-2006	Workflow - Request for RCE - Begin		⬆
10-23-2006	Mail Advisory Action (PTOL - 303)		⬆
10-19-2006	Advisory Action (PTOL-303)		⬆
10-18-2006	Date Forwarded to Examiner		⬆
10-12-2006	Amendment after Final Rejection		⬆
07-14-2006	Mail Final Rejection (PTOL - 326)		⬆
07-10-2006	Final Rejection		
04-28-2006	Date Forwarded to Examiner		
04-20-2006	Response after Non-Final Action		
03-21-2006	Case Docketed to Examiner in GAU		
01-31-2006	Mail Non-Final Rejection		
01-26-2006	Non-Final Rejection		
01-20-2006	Date Forwarded to Examiner		
01-13-2006	Amendment after Final Rejection		22
01-13-2006	Request for Extension of Time - Granted		⬆
12-20-2005	Mail Examiner Interview Summary (PTOL - 413)		⬆
12-15-2005	Examiner Interview Summary Record (PTOL - 413)		⬆
09-22-2005	Mail Final Rejection (PTOL - 326)		⬆
09-19-2005	Final Rejection		
08-03-2005	Date Forwarded to Examiner		
08-03-2005	Date Forwarded to Examiner		
07-27-2005	Request for Continued Examination (RCE)		
08-03-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
07-27-2005	Workflow - Request for RCE - Begin		

05-05-2005	Mail Final Rejection (PTOL - 326)	72
05-02-2005	Final Rejection	⬆
04-28-2005	IFW TSS Processing by Tech Center Complete	⬆
02-23-2005	Date Forwarded to Examiner	⬆
10-22-2004	Response after Non-Final Action	⬆
10-01-2001	Oath or Declaration Filed (Including Supplemental)	
11-22-2004	Workflow incoming amendment IFW	
08-26-2004	Mail Non-Final Rejection	752
08-23-2004	Non-Final Rejection	⬆
07-07-2004	Case Docketed to Examiner in GAU	⬆
12-31-2003	Correspondence Address Change	⬆
12-19-2003	Information Disclosure Statement (IDS) Filed	⬆
06-05-2001	Request for Foreign Priority (Priority Papers May Be Included)	⬆
08-28-2001	Information Disclosure Statement (IDS) Filed	⬆
02-12-2003	Case Docketed to Examiner in GAU	⬆
11-26-2001	Transfer Inquiry to GAU	⬆
10-31-2001	Application Dispatched from OIPE	⬆
10-29-2001	Application Is Now Complete	⬆
08-03-2001	Notice Mailed--Application Incomplete--Filing Date Assigned	⬆
08-03-2001	Correspondence Address Change	⬆
06-11-2001	IFW Scan & PACR Auto Security Review	⬆
06-05-2001	Initial Exam Team nn	⬆

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